

United States District Court

EASTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARL RAY HOLLAND,

Defendant.

CRIMINAL COMPLAINT

Case No. 22-MJ-223-JAR

I, Sterling K. Juarez, the undersigned complainant, state that the following is true to the best of my knowledge and belief.

On or about August 1, 2022, in the Eastern District of Oklahoma, **CARL RAY HOLLAND**, committed the crime of **Felon in Possession of a Firearm** in violation of Title 18, United States Code, Section 922(g)(1).

I further state that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms & Explosives, and that this complaint is based on the following facts:

(See attached Affidavit of Sterling K. Juarez, which is attached hereto and made a part hereof by reference.)

Continued on the attached sheet.



Sterling K. Juarez
Special Agent, Bureau of Alcohol, Tobacco,
Firearms & Explosives
Complainant

Sworn to before me and subscribed in my presence at: MUSKOGEE, OKLAHOMA

Date: August 2, 2022

JASON A. ROBERTSON

UNITED STATES MAGISTRATE JUDGE

Name and Title of Judicial Officer


Signature of Judicial Officer



AFFIDAVIT

I, Sterling Juarez, employed as a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), United States Department of Justice, having been duly sworn, do hereby depose and state as follows:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). I have been so employed since July 2017. I am currently assigned to the ATF's Tulsa, Oklahoma office. I am an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510 (7), that is, an officer of the United States empowered by law to conduct investigations and make arrests upon violations of the offenses enumerated in Title 18, United States Code, Section 2516. My primary duties and responsibilities with the ATF are conducting investigations of federal firearms violations and other federal violations.

2. I am a graduate of the Criminal Investigator Training Program at the Federal Law Enforcement Training Center as well as the ATF Special Agent Basic Training Academy. During these courses of study, I received training in the investigation of federal firearm and explosive violations. I have been a soldier in the National Guard since September 2006, as a Combat Engineer working with U.S., foreign, and improvised explosives. I have a Bachelor of Science degree in Political Science. As an ATF Special Agent, I assist in conducting investigations into the unlawful possession of firearms. Through training, investigations, and experience, I have taken part in cases relating to the trafficking of firearms, the use and possession of firearms by persons prohibited by law, and the possession of illegal firearms. I am familiar with and have participated in various methods of investigations, including, but not limited to: electronic surveillance, physical surveillance, interviewing and general questioning of witnesses, use of confidential informants, use of cooperating witnesses, use of toll records, and subscribers

information. I have also debriefed confidential informants and cooperating witnesses regarding the habits and practices of people engaged in the illegal trafficking of firearms. Furthermore, I have conducted and participated in numerous investigations to include: crime scene investigations, collection of evidence, interviews, and the execution of search warrants.

3. Through my training, experience, and interaction with experienced special agents, Task Force Officers (TFOs), and other investigators, I have become familiar with the illegal use and possession of firearms and/or controlled substances in Oklahoma. As part of my official duties, I have conducted arrests of persons engaged in the illegal use and possession of firearms and/or controlled substances. I have also executed search warrants of homes and property of persons engaged in the illegal use and possession of firearms and/or controlled substances. Moreover, I have interviewed persons involved in the illegal use and possession of firearms and/or controlled substances and debriefed confidential sources and cooperating defendants regarding the habits and practices of people engaged in the illegal use and possession of firearms and/or controlled substances.

4. All reference herein to any experience refers to experience gained through training, conducting firearms and controlled substances investigations, and participating in those investigations with other experienced investigators, as well as conversations with other law enforcement officers. The details and information stated herein are based on my training, experience, and personal knowledge, as well as a compilation of facts and events investigated by me and other law enforcement officers who investigated and confirmed their veracity or oversaw their developments.

5. Because I have prepared this affidavit for the limited purpose of establishing probable cause to believe that Carl Ray HOLLAND violated Title 18 U.S.C. § 922(g)(1), it does

not contain each and every fact known to me concerning this investigation.

6. On July 29, 2022 there was a burglary at McAlester Tactical Supply at 601 North Main Street in McAlester, Pittsburg County, Oklahoma. Cameras inside the business recorded a white male entering the sales floor from a rear supply closet, stealing an as-yet undetermined number of firearms, and leaving through the same supply closet. Shortly after leaving, a fire started from the same doorway.

7. During the course of the investigation, the Bureau of Alcohol, Tobacco, Firearms and Explosives set up a tip line and offered a reward. One of the tips called into the tip line was that a CARL RAY HOLLAND (hereinafter "HOLLAND") was responsible for the burglary.

1. A check of law enforcement records showed that HOLLAND has been convicted of several felonies and is therefore prohibited from possession firearms or ammunition, to include a felony conviction in the District Court of Pittsburg County, Oklahoma, in Case No. CF-2012-513 for Possession of a Cell Phone or Electronic Device in a Penal Institution for which he was sentenced in 2017 to a term of incarceration in excess of one year. Agents also learned during the course of their investigation that HOLLAND is currently on probation.

2. ATF personnel located HOLLAND through his probation officer, Randy Ingram. Officer Ingram reported that HOLLAND's last known address was 517 West Adams Avenue in McAlester, Oklahoma, and that they last conducted a home visit at the residence in April of 2022. ATF personnel located HOLLAND at 517 West Adams Avenue, McAlester, Oklahoma 74501 and made contact with him. HOLLAND gave verbal consent to search the residence. ATF agents observed multiple firearms in the freezer section of a refrigerator, detained HOLLAND and secured the residence.

8. A search warrant was obtained for the residence at 517 West Adams Avenue,

McAlester, Oklahoma. ATF agents also interviewed HOLLAND, after advising HOLLAND of his rights under *Miranda* and his waiver of such rights and agreement to speak with Agents.

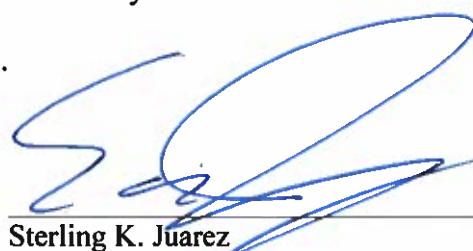
9. When HOLLAND was interviewed by Agents, he acknowledged that he knew about the burglary at McAlester Tactical Supply. HOLLAND told Agents that the firearms observed in his freezer were “forced on him” the day after the burglary and that those firearms are from the McAlester Tactical Supply burglary. HOLLAND said that other individuals had possession of the remaining firearms and had taken them from the residence, along with ammunition.

10. Pending a formal finding of interstate nexus, your Affiant was present at the execution of the search warrant and the seizure of eight (8) firearms including, among others, a .380 AUTO caliber Bersa Thunder 380 pistol bearing serial number K55338. A preliminary check of available data shows that according to <https://www.bluebookofgunvalues.com/#/Manufacturer/Gun/155/BERSA>, Bersa firearms is a:

“Current manufacturer established circa 1958, located in Ramos Mejia, Argentina. Currently imported and distributed exclusively by Talon Distributors Inc. beginning late 2021. Previously imported by Eagle Imports, Inc. located in Wanamassa, NJ until 2021. Previously imported and distributed before 1988 by Rock Island Armory located in Geneseo, IL, Outdoor Sports Headquarters, Inc. located in Dayton, OH, and R.S.A. Enterprises, Inc. located in Ocean, NJ.”

11. Given that Bersa firearms are manufactured in Argentina and imported to the United States through states other than Oklahoma, your affiant submits that in order to arrive at the HOLLAND’s residence at 517 West Adams Avenue in McAlester, Oklahoma, this particular firearm must therefore have traveled in or affected interstate or foreign commerce.

12. Based on the aforementioned information and investigation, your affiant believes that there is probable cause to believe that Carl Ray HOLLAND violated Title 18 U.S.C. § 922(g)(1), Felon in Possession of a Firearm.



Sterling K. Juarez
Special Agent
Bureau of Alcohol, Tobacco, Firearms & Explosives

Sworn and subscribed before me this 2nd day of August, 2022.



UNITED STATES MAGISTRATE JUDGE